

Marketing Blog:

Ramblings of a Marketing Geek

Tue Apr 13, 2004

An Open Letter to the FTC: Suppression Lists Will NOT Help

To: The Federal Trade Commission
Re: CAN-SPAM Act Rulemaking, Project No. R411008d

Commissioners,

The CAN-SPAM Act is an excellent start on legislation to get the problem of unsolicited bulk email under control. There are, however, some concerns about how certain parts of the Act will be implemented.

The one that's most disturbing is the possibility of applying the practice of using merchant-specific suppression lists to the sending of solicited email.

(In this document, the term "solicited email" means that the recipient gave prior consent to the sending of the email, with conspicuous notice given concerning the nature of the content that would be delivered.)

In the simplest implementation of suppression lists, any time someone unsubscribes from a list upon receiving an email to that list which contains one or more mentions of products or services that are determined to be commercial in nature, the address of that person must be sent to the merchant(s) involved and added to their suppression list.

Anyone referencing commercial products in a way that might be construed as advertising must ensure that people on the merchants' lists do not receive the emails containing those references.

There are a number of very serious problems with any such approach. They arise from the ways in which people use email very differently from other communications media, and the nature of email itself.

In no particular order:

1. It is, in most cases, impossible to know the intent of an individual when they send

an unsubscribe request, beyond that they don't wish to receive further email from that list at that address at that moment.

People unsubscribe from lists for a number of reasons. In rough order of likelihood:

- The content no longer interests them.
- They get too much mail from that specific list.
- They get too much mail in general.
- Something in that specific email rubbed them the wrong way.
- They mistook the email for something it wasn't. (Spam or another publication are the most common.)
- They want to get that publication at a different address.
- They're unsubscribing temporarily because of an extended vacation or other absence, and wish to lower their email load while away.

There are other reasons, but these are the most common.

Very few people expect that everything they receive with any publication will be of interest to them. They read and use what is of interest, and ignore the rest.

It is VERY uncommon for someone to unsubscribe from a list because of the mention of a specific product or service.

If each of those unsubscribe requests, regardless of reason, leads to the sender being put on the suppression list of one or more merchants, you end up with a lot of people who might be interested in the product being unable to hear about it from the publishers whose mail they still wish to receive.

With products promoted by affiliate programs (the ones most likely to be affected by inaccurate application of suppression lists), this leads to an odd problem.

Let's borrow a term from the engineering fields and call it "Cascade Failure."

Consider: All other things being equal, the best products are likely to also be the most widely promoted. The more widely promoted a product is, the greater the merchant's exposure to inaccurate additions to their suppression list.

Every time their product is mentioned, every person who unsubscribes, regardless of their real reason, gets added to the suppression list. This could have devastating impact on their ability to advertise in or be promoted by the owners of publications or lists specific to their market.

If there are more than a few publications in that market, this could wipe out some of the merchant's most valuable distribution channels, all while achieving little or no benefit to the consumer, who probably has no objection to hearing about the product in the first place.

Add in the fact that unsubscribes tend not to be traceable to one specific email, and the inevitable "Suppress 'em all and let God sort 'em out" approach (the only safe one, given this scenario), will result in wholesale destruction of affiliate marketing via solicited email.

This benefits no-one, and does nothing to advance the purposes of the Act.

2. It is often impossible to know which email in a series motivated the subscriber to leave the list. Most email lists publish at least bi-weekly, if not weekly or more often. People don't read all of their list mail as it comes in, sometimes saving up many issues and reading them in batches.

Because of this, and because of the systems of technical operation of most lists, the publisher has no idea which ads might have appeared in the email they were reading when they decided to unsubscribe.

3. Many unsubscribe requests do not actually come from the person whose email address is in the request.

Viruses grab addresses from various places on infected systems and insert them randomly in the From: and To: fields of outgoing emails. Most publishers simply assume that any address in the From: field of an email sent to their unsubscribe address wishes to be removed from their list. It's better than mistakenly leaving an address on the list belonging to someone who doesn't want to receive their mail.

If the system automatically sends these addresses to the suppression list of the merchant mentioned in that message, even assuming that's trackable, a great many people will be added to the suppression list who never actually asked to be.

If it's not trackable by message, one such virus-created email can result in the owner of the misused address being added to multiple suppression lists.

This problem is compounded by the fact that people in specific markets tend to read the same or similar publications. They also tend to communicate with each other about related topics, so the addresses in any given addressbook or email program will tend to concentrate around one topic.

Remember: Viruses don't just send one email per infected computer.

It only takes a tiny percentage of the population of any market to place large percentages of that market on a lot of suppression lists without their knowledge or approval.

This adds substantially to the problem of "Cascade Failure" mentioned above.

Again, bringing no benefit to anyone, and not advancing the purposes of the Act in any way.

An additional problem relating to the misuse of addresses in unsubscribe requests, or direct emails to the merchant requesting addition to a suppression list, is malicious forgery.

It is a simple matter to use automated systems to harvest email addresses from topic-specific forums and web sites and send such requests without the knowledge or permission of the person who owns the address.

People who participate actively in forums on a topic, or whose web sites discuss that topic, are also the most active buyers of products related to it.

One person, armed with software that can be easily found online or created in a matter of a few hours, could devastate large sections of the market for a specific company's products or services.

Again, no benefit to consumers and no furtherance of the goals of the Act.

4. There are huge problems of potential collateral damage with the way the various possible interpretations of suppression list usage intersect with the definitions of "commercial email" under the Act.

Many publishers, in order to avoid having their solicited mail trapped by inaccurate content filters, will send a note to their subscribers letting them know that the current issue is online at their web site.

Some will send the content via email, and later send a separate email letting people know it's been posted, in case it was blocked by such filters. With huge percentages of solicited bulk email being blocked, this practice is growing more common all the time.

If they also promote affiliate products on their sites, they could seem (or actually be) required to use the suppression lists of every merchant whose products they link to. Failure to do so could well run them afoul of the suppression requirements.

If this becomes the case, it will kill large segments of the email publishing industry. Specifically including those publishers who provide content that is valuable and useful even without the purchase of any of the products they advertise.

When discussing this issue as it relates to mailers who send only to those who've given affirmative consent, this seems an undue price to pay, with little if any benefit to the consumer.

5. There are significant technical challenges involved in the use of suppression lists by mailers. They weigh much more heavily on the small publisher than the large commercial mailer.

Many, if not most, list hosting services used by small- and mid-sized mailers do not use software that supports this function. Software that does also increases the cost of mailing. If the use of suppression lists becomes a legal necessity, it's likely that mailing houses that support them will also charge extra for their use.

Add in the problem of large numbers of inaccurate and/or unintended requests for suppression described above, and you have a squeeze play that will put a lot of these mailers out of business. It will simultaneously mean the loss of much of the most valuable and desired content in many niche markets.

Large mailers will face the same problems, to a somewhat lesser, but still important, degree.

Mailers who use software that sends from their desktop computers and supports suppression (also called "exclude") lists will often find that their computers are unable to deal with the massive suppression files of popular merchants.

Another group driven out of the industry, and more useful information lost to those who've requested it.

The larger the merchant, the larger the suppression file. The larger the suppression file, the greater the processing requirements for the sending system.

Thus, we have the same problem from a different angle: The more popular a merchant is, the more people will be unable or unwilling to promote their products or services, due to technical constraints.

A separate technical issue is the problem of legitimate requests for suppression being lost before reaching the merchant.

Lost email is becoming more and more common these days. The biggest cause of this problem is the congestion of the mail system caused by spam and the filters designed to stop it.

It is not difficult at all to envision a scenario in which someone actually requests to be added to a suppression list, their mail is truly lost before reaching the merchant, and a merchant who is making every possible effort to comply is hit with the expense of a suit.

This problem isn't entirely confined to people whose requests were lost. Many people use multiple email addresses that forward to one central mailbox. If they forget which address they used to subscribe to a specific publication and send their request from a different

address, they can continue to receive the suppressed content even if the merchant has received and properly handled their request.

If they assume it's simply a matter of refusal on the merchant's part, the same situation can occur: Suit without actual cause.

For small- to medium-sized merchants, one such suit can be enough to severely damage them or put them out of business. The fear of such potential suits has already led some to stop publishing, even prior to issuance of guidelines on the matter by the Commission.

6. The administration of such lists imposes a number of significant expenses and problems for the merchant aside from that of unnecessarily lost market share, the potential for suits brought on erroneous bases, and technical challenges.

The largest is the problem of avoiding misuse of the suppression file.

All it would take to swamp a merchant would be for a competitor, someone with a personal grudge, or just some teenaged prankster who thinks the net should be entirely uncommercial to sign up, get their suppression file, and spam those people with ads for that merchant's wares.

A public relations and customer service issue of Biblical proportions.

Then there's the lure that all those addresses will present to spammers with no desire to harm the merchant. They sign up for the merchant's affiliate program, download the suppression file under guise of using it as it's intended, and slam the people who're on it with as much mail as they can send.

Many people use what are called "tagged addresses." These are addresses which are given to only one sender. If they get mail to those addresses from another sender, they assume the first sender gave it out knowingly.

In a case where a spammer gets hold of a suppression list with tagged addresses on it, the original sender to whom they were given can count on significant undeserved backlash.

Contractual enforcement against such use could be problematic: Person A signs up as the affiliate and gives the list to Person B who spams it.

There are potential technical solutions to this, but they just add another layer of expense and complexity without actually solving the problem.

A smaller problem is the matter of the information about one's business that is relayed to merchants in the transmission of unsubscribe requests. Someone who understands the business can learn (or misinterpret) a lot about someone's business model from this information, and could conceivably misuse that in ways harmful to the publisher.

7. There are legal and privacy issues facing publishers who are required to give out the addresses of people who unsubscribe.

When discussing a properly run list, meaning one that requires affirmative consent and has a working unsubscribe system, the subscriber is in complete control. They can stop any or all mail from any or all such lists at any time.

The problems that the Act is intended to ameliorate do not stem from such publishers.

Many of the best publishers have for years had a simple statement of their policy regarding sharing of subscriber addresses: "We won't. Under any circumstances."

Is it within the intent of the Act that people who have assigned a right to another (use of their email address for delivery of specific content, with the promise that such use would be reserved to the holder(s) of that permission) should be required to be subjected to the potential harm described above despite the conditions of that assignment?

In layman's terms, does the Act make it right for consumers to be potentially abused by forcing publishers to violate their agreements with their subscribers?

Conversely, should consumers be refused the right to receive content from someone they want to get it from because they unsubscribed from someone else's list?

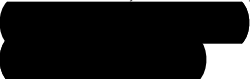
Summary: There are other factors that suggest that the mandatory use of suppression lists is bad for consumers, publishers and merchants. The ones listed above are the most serious. They should serve to demonstrate to the Commission that suppression lists are not an effective way to solve any of the problems the Act is intended to address.

In fact, there is significant potential for their use to make those problems worse.

Because of these concerns, we urge the Commission to exempt lists which operate using the principle of affirmative consent from any possible regulations requiring the use of suppression lists.

Respectfully submitted,

Paul Myers
Publisher, TalkBiz, Inc

A black rectangular redaction box covering the signature of Paul Myers.

**Important Note:**

The Federal Trade Commission is accepting comments from the public until April 20th. You can use the form at the link below to let them know that you oppose this idea.

Make sure you open your comments with "Re: CAN-SPAM Act Rulemaking, Project No. R411008."

Be polite. Be professional. Be specific.

And be there!

[Tell the FTC: Suppression lists won't work!](#)

Posted by: [Paul Myers](#) on Apr 13, 04 | 1:23 am | [Profile](#)

[5] [comments](#) (115 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Tue Mar 09, 2004

Stupid Spam-Filtering Tricks

I recently let the folks who subscribe to [TalkBiz News](#) know about the update list for this blog. I got the following emails from a long time subscriber just after that.

First Email:

Dear Paul,

I thought you might like to know that I requested your blog notification thingy.

What you might be interested in is knowing that the email "Marketing Geek Blog"--the one I needed to respond to (which I have), was automatically sent to the SPAM folder on my AOL account.

In other words, if I hadn't known to look for it, and, when not finding it purposely looked into the SPAM folder, I would not have been able to reply.

This is getting to be annoying and I do NOT mean you...

Mary

<http://www.cafeshops.com/ameriwear>

Second Email:

Paul,

The reason I knew to look in the SPAM folder in the first place is I joined an affiliate program recently and the confirmation email ended up in my SPAM folder, too.

I run a YAHOO! Group. So, just to see what would happen I joined my own list under a different AOL name. Guess what? YEP! right into the SPAM folder...a YAHOO! confirmation email.

If they are treating Yahoo! confirmation emails as SPAM, what chance does anyone have?

Mary

<http://www.cafeshops.com/ameriwear>

The email Mary got from me was a confirmation email delivered from the most dependable and most anti-spam autoresponder service on the web - [Aweber](#).

So, exactly how does one deal with a system that dumps even confirmation requests from major providers in the bulk folder?

The temptation is to simply not deal with them at all.

In response to the same email telling people about the option to sign up for the blog notifications, I got this as part of a bounce message:

Bounce Notification:

Subject: {Possible SPAM} [TalkBiz News] He's gone
blog crazy!

X-RAV-Bulk: RAV AntiVirus classifies this e-mail as
spam (accuracy medium X-RAV-Signature:

What's interesting about this is that the bounce claimed that no such user exists.

What's even more interesting is that the message in question scores exactly 0 (that's zero point zero zero) when run through SpamAssassin, and the server it was sent through is spotless.

So, a perfectly clean email sent to a legitimate subscriber got tagged as spam, and the bounce lied. Claimed that the subscriber's address doesn't exist... even though an email sent from another account to the "non-existent" address that same day WAS delivered.

Let's hope that ISP's customers don't have to send or receive any business-related email. If it nuked that message, not much is likely to get through.

Same message, sent to subscribers at a provider in Israel, resulted in every email being bounced with the message "550 - Spammer go AWAY!"

A 550 error is the same lie as above - claims the recipient address doesn't exist.

Or the ISP that bounced an incoming email, telling me I had to do a POP mail check on the account within 45 minutes before the delivery. Pray tell, why should I need (or be able) to do a POP mail check on an account I'm trying to DELIVER TO?

I'm not trying to pick up the guy's email. Just send him one.

The fellow who set up THAT server qualifies as Sysadmoron of the Month.

How do you feel about spam filters that are that bad (remember the spam score this email *didn't* get) being used to refuse email you requested, without so much as notifying you and giving you a chance to have something to say about whether or not you actually wanted the mail?

I know how I feel about it. I've informed my web hosts that any attempt to put filters between me and the rest of the world without my express prior permission would result in my relieving them of the burden of my patronage.

Paul

Posted by: [Paul Myers](#) on Mar 09, 04 | 2:50 am | [Profile](#)

[11] [comments](#) (140 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Thu Mar 04, 2004

Are Ad Blockers Theft?

Some interesting things going on out there in WebWorld.

One of the most interesting is the move by Norton to include ad-blocking capability into their security software. This stuff goes way past the usual pop-up blockers and the like. It actually removes anything it recognizes as an affiliate link or text advertising.

Even AdSense ads! (Those little things to the right.)

It does this by removing source from the HTML document itself, sometimes rendering the information indecipherable.

Okay, folks, understand this clearly:

Using this capability is stealing from the publisher of the web page!

Publishers put their information out there with the knowledge that some people will just read, while others will find the recommendations or relevant ads of interest.

They make their money on the advertising. Removing those ads automatically (as opposed to just ignoring them) is taking the content without regard to the clearly understood terms of the publisher.

The "price" is the opportunity to show at least some segment of the visitors advertising that may be of significant interest and use to them. If they provide good content and relevant, useful advertising, they stand to make some profit.

That's what pays for most of the stuff you get for free on the web.

Remove that opportunity, and you're taking the content without paying what is generally recognized as the "price" asked for it.

That's stealing.

And it's going to have some nasty consequences.

You see, this is really a simple issue:

If you remove the publisher's capability of making money while providing content that's not charged for directly, they have only a few options:

- Produce the stuff at whatever cost and give it away free.
- Stop producing the stuff.
- Charge for it up front.

Not many good content providers are going to go with that first option, folks. So...

Don't bitch when all that good free stuff you've come to know, love and expect as your God-given right disappears.

Pay to play is the up-coming way.

At least if this nonsense keeps happening.

I can see people who don't run their own businesses, or folks who've never been involved in ad-supported businesses, missing the economics here.

I don't quite see how anyone doing business on the web can fail to grasp something quite this simple.

It ain't rocket science, folks.

Ad-supported media is the single most democratic and fair way to distribute general information. The people who feel they'll benefit from buying buy. They pay for the content for everyone else, and they also get the highest benefit from it.

Thus: Ad blockers are not only theft, they're stooopid.

But then, short-term thinking usually is.

It's interesting to me that blocking of purely text based ads should be included in a "security" suite.

With pop-up blockers and stuff that's stopping other forms of scripting, there's at least the argument, usually specious, that the intent is to prevent malicious activity by evil third parties.

Norton has abandoned even that shallow pretense. As have their users.

Plain, pure, "I get whatever I want, and screw you if you think you have the right to make any money at all for providing the content that I want!"

There are undoubtedly people reading this who've never considered the issue from this standpoint. If that's you, think about it. Make your own decision, but realize the consequences either way.

If you decide that ad-blockers are acceptable, do me a favor:
Stop all your own advertising of any kind. See how long you stay in business.

Oh yeah... And get used to having skinny kids.

Pop-up blockers are just as bad.

Yes, some people abuse pop-ups. When you run into one of those sites, just don't buy and don't go back. Vote with your feet.

They'll get the message.

Stealing the content is NOT the way to go.

No matter what the rationalization.

A note to content providers: Show some class, people. Pop-ups can be used without aggravating your visitors, if they're done right. And if they're done right, they're done lightly.

Banging your visitors over the head is NOT friendly behavior.

The Hopi indians used to call the invading Navajo "Tasavuh." It translates loosely to

"They who kill their enemies by hitting them over the head with rocks." (*Actually, that's an exact translation of the intent. Just put into easily understood English. "Head banger" wouldn't carry quite the same connotations.*)

Don't be a Tasavuh.

And changing someone's start page on them is Evil.

So, what are your opinions on this subject?

That's what the comment button is for, folks. ;)

Paul

Posted by: [Paul Myers](#) on Mar 04, 04 | 2:52 am | [Profile](#)

[39] [comments](#) (262 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Wed Feb 11, 2004

Press Coverage

Posted by: [Paul Myers](#) on Feb 11, 04 | 6:44 pm | [Profile](#)

[11] [comments](#) (427 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Microsoft blocks email from competitor. Dirty trick, or simple ineptitude?

Got an MSN or Hotmail account? How do you feel about buying something and being kept from getting access to it by Microsoft?

Are you an affiliate for [SiteSell's SiteBuildIt](#) program? If so, how do you feel about your commissions being put at risk because of Microsoft's "spam prevention" system?

No, this is not a joke.

Disclosure: Yes, I am a SiteSell affiliate. However: **None of the links to any SiteSell product in this article are affiliate links.**

Here's the scoop, in short form:

SiteSell has a pretty powerful product called [SiteBuildIt](#). They recently learned that the emails sent to their SBI customers at MSN and Hotmail were not getting through.

The email in question is the one with details on how to log in to the customer's new SBI account, and what they need to do to get started on the right foot.

No, SiteSell was not being accused of spamming. (And the rest of their emails were getting through.)

After a lot of checking by and communication with MSN and Hotmail, it was determined that the emails were getting caught in Microsoft's "spam filtering" system.

They only said that after the folks at SiteSell called them to find out what was happening. The "suspect" emails were not being bounced, nor could they get through in any way to the customers, even if the customer had whitelisted SiteSell's addresses.

SiteSell found out when their customers with Hotmail and MSN addresses started calling and asking "What happened to the instruction email for my SBI account?"

They just... *poof* ... disappeared.

Well. Ain't that lovely?

After checking into the situation and determining the cause, Microsoft replied with this:

Microsoft's Response:

From: j*****@microsoft.com

Subject: RE: Order Receipts not being delivered
Date: February 4, 2004 4:51:06 PM EST
To: SiteSell.com

Hello,

Thank you for contacting MSN Hotmail. With the help of the detailed troubleshooting information you have provided, we have determined that the message in question has been blocked by an MSN Hotmail filter deployed to stop unsolicited e-mail.

Like many other e-mail service providers, MSN Hotmail uses filtering methods to stop unsolicited e-mail. Consumers have told us that stopping unsolicited e-mail is a top priority and because our #1 goal is pleasing our customers, we are employing technology that helps protect them from unsolicited e-mail

While we understand that it is important to you that you be able to send e-mail to users of the Hotmail service, Microsoft does not have an obligation to deliver any particular e-mail message.

Bonded Sender Program

Microsoft is currently evaluating the Bonded Sender Program (<http://www.bondedsender.com>), which is administered by an independent third party and provides a mechanism for senders of legitimate e-mail to better identify themselves. During this evaluation, Microsoft is using the output from the Bonded Sender Program to help determine which e-mail should be delivered, and it is expected that most e-mail senders that are certified by the Bonded Sender Program will see their e-mail delivered to MSN Hotmail users without issue.

However, an e-mail sender's participation in the Bonded Sender Program does not guarantee that e-mail from that sender will be delivered to MSN Hotmail users; e-mail from such senders may still be filtered or otherwise blocked at Microsoft's sole discretion. Microsoft does not: (i) operate the Bonded Sender Program, (ii) determine which e-mail

senders become certified in the Bonded Sender Program, or (iii) offer any support at all related to the Bonded Sender Program. Microsoft may discontinue use of the Bonded Sender Program at any time, without notice to MSN Hotmail users or e-mail senders. Microsoft reserves the right to not deliver any e-mail message sent to any MSN Hotmail user for any reason.

More Information

For more information regarding Microsoft's Anti-Spam Policy, including technical standards and required documentation, see:

<http://privacy.msn.com/anti-spam/>
http://advertising.msn.com/adproducts/Email_TechStd.asp
http://advertising.msn.com/adproducts/Email_BulkDupe.asp

For more information regarding the Terms of Use for Microsoft's MSN Hotmail service see:

<http://privacy.msn.com/tou/>

[Administrivia snipped]

Hmmm. Well, that was helpful, huh?

If you buy into the Bonded Sender program, you have a better chance of your email getting delivered to your paying customers. Maybe. But we can refuse it if we want anyway.

Nassssty attitude. And with the appearance of just the kind of arm-twisting for which Microsoft is so often called on the carpet.

The Bonded Sender program is run by some folks with interesting backgrounds, by the way. Jack Smith (a co-founder and former CTO of Hotmail) and Scott Weiss (an early player in Hotmail, who used to be in BizDev at Microsoft).

Coincidence? Probably.

Here's another coincidence. **Microsoft runs a site called Bcentral. A direct competitor of SiteSell's SiteBuildIt.**

Perhaps the difference in attitude between SiteSell and Microsoft explains [this trend?](#)

Or maybe the trend explains the difference in attitude?

Naah. I really don't believe that.

But the conclusion is tempting, isn't it?

Conspiracy theories aside, I suspect this is a case of simple corporate apathy and incompetence.

I understand the importance to any company of blocking spam. Filtering systems are a necessary evil when dealing with mailservers with any serious number of accounts on them.

Hotmail, with its hundreds of millions of users, is one of the largest email providers in the world. They **need** to have "locks on the doors," so to speak.

But **what good is a lock if you can't open it to let the good guys in?**

If they **can't** open it, that's incompetence. Whitelisting capabilities are the first and most obvious safeguards against false positives in any content-based filtering system. Any competent mailserver administrator knows this.

If they can do it and simply don't want to bother, after asking SiteSell to spend hours of time providing what even they refer to as "detailed troubleshooting information," that's plain apathy.

Bear in mind here, this isn't email of any sort of questionable nature. It's the instructions for a product that MSN and Hotmail customers paid a fair bit of money to access. And Microsoft knows it.

They're just doing nothing about it.

Except plugging Ironport's Bonded Sender program as a "maybe it might possibly do you some good, even though we know you're definitely not doing anything bad" solution.

As I see it, by taking this stance, Microsoft is actively and knowingly abusing their customers.

My recommendations:

1. If you're using Hotmail, dump them. Get a Yahoo account if you need a webmail account. (Yahoo dumps less solicited bulk email than Hotmail anyway, at this point.)
2. If you're using MSN, consider switching to a provider that's not knowingly blocking email that you paid for.
3. Contact MSN and/or Hotmail and tell them why you're leaving. Even if you're staying, let them know how you feel about them playing fast and loose with your business.
4. If you're an email publisher, think about how this may be affecting you. If they're blocking this kind of email, what makes you think they won't block yours, for similar reasons. (Read: None at all.)

You can contact MSN's customer service department at (800)386-5550.

You can also [check here for more ways to contact them](#).

If Microsoft cares at all about their public image, you'd think they'd take seriously even the appearance of blocking their competitor's legitimate emails.

If you've been ignoring the problem of filtering, thinking that it doesn't really affect you, think hard about this example.

You don't have to be the sender to get slammed by it.

The number of instances I hear about of people losing emails from customers and business associates because of content filters increases every week.

Either you fight back, or you take whatever happens, usually dictated by the poorly informed assumptions of the programmers of content filtering systems.

Ken Evoy, the President of SiteSell.com, has offered [the use of the "Thank you" page he's put together](#) for customers of SBI who have MSN/Hotmail addresses.

That's an excellent example of fighting back in a constructive way.

How can you fight back?

Well, there are a few recommendations above.

In the previous entry, (below) there's a link to a free alternative to Microsoft's Office Suite. Consider using it, and consider telling Microsoft why you're going with an open solution rather than their commercial product.

Tell your friends and business associates about this situation.

And keep your eyes open.

Don't let situations like this control your ability to communicate with your customers.

Comments, as always, are welcome.

Resources:

MSN's customer service department: (800)386-5550

[Other MSN/Hotmail contact info](#)

[SiteBuildIt](#)

Posted by: [Paul Myers](#) on Feb 11, 04 | 1:56 am | [Profile](#)

[38] [comments](#) (395 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Mon Feb 09, 2004

e-Postage AGAIN?!

Do these guys ever do any research before dredging up ideas that were demonstrated to be stupid years ago?

Oh, wait... [Bill Gates said it](#), so it must be smart, right?

Especially since he said it to a bunch of rich guys at a rich guy event. In Switzerland, no less! It MUST be smart!

Nope. Gates, like any other famous person, says nearly as many stupid things as the rest of us. His are just more dangerous, because people don't laugh at him and make funny faces behind his back.

They pretend the stupid things aren't stupid.

Even the rich dudes in Switzerland wouldn't make funny faces behind his back. (At least

not on camera.)

Why? He's a rich and powerful **geek**, of course!

Geeks get mean when you suggest that technology isn't the answer for every problem...

Consider this quote from the NY Times article: "'The fundamental problem with spam is there is not enough friction in sending e-mail,' said Brad Garlinghouse, Yahoo's manager for communications products."

Yahoo is "quietly evaluating" an e-postage plan.

Great. Yahoo, Microsoft and Hotmail, all on the same page.

Thaaaaat's encouraging.

Like a doctor asking for your next of kin **after** an examination.

Most of the proposals intended to eliminate spam have the "minor" problem of also doing serious harm to bulk email people have asked for and, quite often, 1:1 personal email.

They haven't yet reached the point of really screwing with email as email.

This one would.

John Levine, the self-described "primary perpetrator" of "[The Internet for Dummies](#)," has some thoughts on this that anyone concerned about the issue should [read and consider carefully](#).

John covers the flaws in the e-Postage approach with his usual thoroughness and thoughtful reasoning.

Seriously. If you're even remotely concerned about this proposal, as you should be, [read it](#).

It's an eye-opener.

Now, let's look at it from the perspective of why anyone in the email publishing business

should care.

Currently, senders of legitimate email pay for the access needed to send their subscribers the mail they've requested. The subscribers pay for the services of their ISP, including the ability to receive said requested email.

There is no incentive at the moment for someone to sign up for a lot of things they don't read. However, if they're going to be paid for every piece of email they get, they are much more likely to start.

They are also much less likely to unsubscribe from things that no longer interest them. Why not just filter them out or delete them as they're downloaded and keep collecting those pennies?

If they have to click on something to collect the "spam bounty," you may be certain that someone would create software to do the "clicking" for them shortly after such a plan was instituted.

If you don't believe this is likely, just look at the software that exists right now to constantly and automatically reload pages in the various start-page traffic systems. *(This is clearly unethical, but that didn't stop the practice.)*

Or what happened to FFA pages when auto-submitters were created. *(This wasn't unethical, although it was often used in unethical ways. And it lead, inevitably, to the destruction of the pages themselves as useful collections of related links - their original and most valuable purpose.)*

How long do you think it would take for auto-subscribe and auto-confirm software to be created? Or for people to figure out that they can use those tools to subscribe to the same things at multiple addresses?

Yes, some people will unthinkingly destroy whole systems if they can steal a few pennies in the process.

And free email discussion lists? Fuggedaboutit. They would simply END.

Free subscriptions to the more useful newsletters would also end, as pay-to-play became a survival necessity. The less useful ones would eventually (sooner, rather than later) go away.

All the benefit that so many people derive from all the free information out there would

go away with it.

This system has good and bad aspects to it, depending on your business model and the quality of content you provide.

It would most definitely raise the cost of entry.

One almost universally negative aspect: Hobbyist lists, run by people who are simply passionate about their interests, would be gone from email.

That would kind of suck, huh?

I don't believe for an instant that Microsoft is interested in this because of some altruistic desire to rid the world of spam. Not their style.

Not their style at all.

If they're involved, it'll be for one reason only: Profit.

Profits from selling their (almost certainly broken) implementations. And/or a belief that it will help them expand their monopoly.

Or maybe they hope to get a cut of every "stamp" that's sold and passed through their systems.

I don't have a problem with profit, honestly earned. I rather like it, actually. That should be pretty clear from the title of this blog, if nothing else.

I have a serious problem with anyone breaking the entire email system beyond repair to attempt to wrest or extend monopoly control on something that's become this integral a part of modern society.

And I have a **real** problem with it when that same someone regularly breaks protocols in order to push people toward using their borked standards.

e-Postage is a bad idea under any circumstances. The cost of metering, keeping records and moving the money would far exceed the cost of providing the existing service.

According to [Mr. Levine's estimates](#), (conservative indeed), creating the necessary infrastructure and systems could cost hundreds of billions of dollars. Maintaining it would cost unguessable billions more annually.

But not to worry. The system will never be fully deployed.

Email as a medium of communication would break down under the weight of the "solution" long before it got that far.

Isn't that a cheery thought?

So, why would Gates, or any other clearly intelligent person, suggest it?

That comes from a couple of problems of perspective. The biggest is the belief, common among people whose business experience is founded on primarily offline assumptions, that the Internet operates under the same economic models and behaviors as traditional business.

The second is the assumption that the Internet is just another medium, like any other.

Wrong, bubelah.

Bad wrong.

No cookie for Mr. Gates.

Newsflash, boys: Despite what you would like to believe, **the Internet is fundamentally different**. It is a whole new animal.

The Internet is a social mechanism. It is not a medium at all.

eBay "gets it." They understood, early on, that the 'Net brings us closer to the days when merchants hawked their wares in the bazaar, shouting out to passersby who were there to shop.

People can get free advice, paid advice, expert advice or lame advice.

They can chat with Grandma, collect recipes, buy stuff, or just be entertained... one at a time or all at once.

The individual controls (or should control) every interaction.

And they can boot you out of their reality at any time they choose.

The ultimate freedom of association.

That last is what scares the living hell out of the DMA. It's why they want laws that protect opt-out email (spam), and why they wanted to set things up so that they could pay ISPs to deliver UBE (spam) to their customers. But only if the ISPs got rid of the "bad spam" first. (*Meaning: Not from their members.*)

The Internet scares the post office and the phone companies and every government that thinks it's losing tax revenue to online activity.

It scares the traditional music industry and every other dinosaur that lives by paying slim percentages to creators based on the dinosaur's control of distribution channels.

It really scares companies that sell commoditizable goods, like software, to general markets.

That includes Microsoft.

Think about it... If you could get software that had the capabilities you wanted from the Microsoft Office Suite and more, for free, would you spend hundreds of dollars for MS Office?

You can get that software. [Here](#).

M\$ doesn't get it, and they won't get it.

Microsoft has a computer culture, so people assume they "get the net." They don't. Microsoft has a corporate culture that's genuinely corporate. It's not a net.culture by any stretch of the imagination.

That's not all a bad thing, of course. It's why their business productivity software, like Office, is so good.

It's also why their net.software is so... lacking.

I heard that.

"Who is this Myers dude to be criticizing Microsoft's understanding of the net?"

Hey, I've run Windows for years. I have never had a virus infect any of my Windows machines. And I'm not what you'd call a Windows security expert.

How is it then that Microsoft had to shut down their connections to the network when Melissa hit them because so many people **inside the company** had allowed their machines to be infected with the virus?

How is it that they can even consider it possible to oppose the concept of open source software, when it's an inevitable outcome of one aspect of the Internet culture?

How is it that they can endorse e-Postage when it was discredited as a viable option years ago?

The market for Clue is growing, and Microsoft could well be a major consumer of the product.

Is that who you want to have control of your email?

Comments, as always, are welcome.

Posted by: [Paul Myers](#) on Feb 09, 04 | 1:20 am | [Profile](#)

[3] [comments](#) (83 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Thu Jan 29, 2004

Another Blog You MUST Read

I've been looking at a lot of blogs lately and, frankly, most of them are just so much foofti BS.

Sort of like pocket poodles. Technically dogs, but would you want one to keep the burglars away?

Not this one.

If you're serious about getting straight-from-the-hip stuff from the brightest guy in the business (and yes, I do know enough of them to say that), check out [John Reese's Blog](#) at [MarketingSecrets.com](#).

I got online back in 1995, with the intent of doing business, and some small knowledge of direct marketing. Guess who was waiting there with the first online service I ever paid money for, besides my Internet access?

Yeah. Johnnie "*The Brain*" Reese. He was running an autoresponder service off a dialup connection.

And it WORKED!

He was only three or four years ahead of the times. (*Those of you who grok the net understand just what that takes...*)

Folks who get [my newsletter](#) know that I don't pimp my name around or play "The Testimonial Game." That's a sucker's bet, every time. Or a liar's bet. I'm not really bucking to hit either category, tankeweverrymuch.

If you're looking for someone to learn online marketing from, there's no one better or more qualified than John. Seriously.

Or nicer. But you didn't hear that from me...

Sign up for [his newsletter](#), and regularly check out [his blog](#).

They're both free.

Trust me on this one. You'll be glad you did.

Resources:

[John Reese's Marketing Secrets Blog](#)

Posted by: [Paul Myers](#) on Jan 29, 04 | 2:18 am | [Profile](#)

[2] [comments](#) (141 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Tue Jan 27, 2004

Stupid Email Tricks

Some days, being an online publisher is just too much fun for words.

I give you two stunning examples that occurred just today. The first..

Stupid Email #1

Mr. Myers:

I've reviewed the information you've provided and I do not believe it is what I requested or paid for. Therefore, I am requesting an immediate refund. Your early attention to this request is appreciated.

Thank you,
Millicent R. Green

What's so unusual about that, you ask?

Ms Green (*name changed, of course*) appears in none of my customer lists. The information she claimed to have found lacking was a tutorial I put together on [how to create your own products and start an online business](#).

It's free.

Any wonder that she couldn't figure out how to put it to use?

This one was truly stunning. Again, the name has been changed. This time, to avoid giving them any free publicity.

Stupid Email #2

Subject: With Respect

Dear Mr. Meyers,

We are HorseHockey.

We are great admirers of yours.

In a few weeks we are going to release some new technology that, we feel, will have a radical influence on

surfing behaviour and web marketing worldwide.

We can not, at this time, reveal what this technology is.

However, we are looking to get a few respected voices of the net together to assist in our unveiling. No, this isn't one of those "we're-actually-spamming-the-world-and-telling-you-you're-one-of-the-few" scams.

We plan to have a public unveiling in a few weeks. We'd be delighted if you were a part of it.

To give you a hint, it's sort of like a new protocol. As you'll see, it will change net behaviour (or so we predict).

We know it's unusual to ask you to participate in this when you don't know what the product is or who we are (our identities are secret, sort of like SPEWS, and will always remain so) but we assure you this will a very significant event.

We'd ask that you announce the launch event to your list (there will be a few sites on which the event will occur) and in exchange, we'll give you a significant amount of publicity and free advertising in exchange.

Again, since you don't know what it is, perhaps you could use that as your angle in the article you write. Then afterwards you could write an analysis of the product and the launch.

This is nothing that anyone could possibly find offensive in any way. It's very nature is so generic that it could not possibly offend.

We'd ask you to have your subscribers visit your site about one hour before the event in order to integrate with the new technology. Then they will experience an event that should leave everyone stunned.

This is something so simple that it seems almost obvious. People will be asking why it hasn't been done before. We have 3 patents pending on the technology as of today.

Please let us know if you find this interesting in any way.

We would be so honored by your participation. You are one of our "heroes" here.

Again, there will be tremendous reciprocal publicity for those who are chosen to participate in the launch.

HorseHockey

--

We are HorseHockey.

One really curious thing about the email.

See those two dashes before the long line of dashes separated by spaces? In the original email, there's a space after those two. That's not an error or coincidence.

That's an OLD technique. That specific separator is intended to make sure that various systems (like listservers, among other things) ignores the existence of the signature file following it.

It's a courtesy protocol that you almost never see any more. Only the well-informed and the old school tend to use it any more, or even know what it's about.

Yeah, I'm old school. ;)

Now, this **could** be legit, but it would surprise the hell out of me.

Mind you, they probably did send this to people they chose specifically.

If they'd just scraped names, they'd have spelled mine right.

However, anyone who really knows me at all would know:

- I don't do business with anonymous people. Ever.
- I don't do blind deals.
- I would never recommend a blind deal to my subscribers.
- I wouldn't even consider the thought of possibly contemplating maybe someday asking people to download and install software they didn't know the details or purpose of.
- The minute someone tells me they're going to revolutionize the Internet, I walk the other way.

- If they toss in flattery while they're telling me about their miracle techno-widget, I hold on to my wallet and run.

Can you picture anyone with their head screwed on straight getting involved in this?

Or, for that matter, sending this email?

This is TOO funny.

I can just imagine the kind of free publicity I'd get, too...

**"Newsletter Publisher, Too Stupid Too Breathe,
Recommends Blind Scam To Trusting Subscribers!"**
Authorities Have Revoked His Internet License and Email Permit

Then a long and painful story about the damage done to those folks who listened and tried it out.

Ummm...

Nope. Think I'll pass on this one, tankeweverrymuch.

What the hell were they thinking? Anyway?

HorseHockey indeed.

Paul

Posted by: [Paul Myers](#) on Jan 27, 04 | 11:21 pm | [Profile](#)

[0] [comments](#) (67 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

**Aaargh... Novarg!
And Other Email Annoyances**

If I could get my hands on the people who write these bulk-mailing viruses, I suspect I'd end up in jail. But no jury in the world would convict me.

There's yet another one on the loose. This one is called Novarg and, if it's early spread is

any indication, it's going to be nasty. I've gotten hit with almost 50 copies so far today. **(Update: After checking the mailboxes for the automated addresses, it's actually over 600.)**

For those of you who build your own filters for this stuff, Russ Nelson, of Crynwyr.com, has posted [a sample of the virus](#).

Just what we needed. I'm still getting copies of Snow White and Nimda...

If you start getting virused emails, do NOT get mad and email the address in the From: field. It's almost certainly spoofed by the virus. Leo Notenboom, of Ask-Leo.com has posted [an explanation of how this works](#).

These days you need to be pretty careful about any assumptions about strange emails. For example, I've been getting bounces for weeks of various "body part enhancement" spams, and originally assumed it was a prank. Some spammer including my address in a list of anti-spam types that he was inserting in the From: field of outbound spam. The confusing thing was the very low levels of bounces, maybe 100 a day or so.

Looks like a spamming virus, at this point.

Yeah. Viruses that send spam from your machine.

Ain't that just ducky?

I've also been seeing an unusually large amount of email being lost in transit. I'd have figured it was bad spam filtering, if I used any. But I don't.

In the first four or five years I was online, I don't recall ever hearing about an email really getting lost in transit. Now it happens to me several times a week.

If you send someone an email and don't get a response - don't assume they're ignoring you. It's very possible that the email was never delivered.

Yes, this even happens to customer support addresses. If you don't get a response to an email sent to a company, you might want to think twice before jumping onto your favorite forums and slamming the recipient.

Yet another reason you should get used to picking up the phone for important communications.

Take some responsibility for your own possible errors, too. I got an email today from someone accusing me of spamming him.

No, it wasn't a virus. He claimed he had tried three times to unsubscribe from my newsletter and kept getting it.

I emailed him and told him I had unsubscribed him, and asked what address he'd sent the request to. He replied that he'd sent it to the From address in the newsletter the first three times.

Ooops.

Sorry, folks, but there is so much spam with blank subject lines that I simply delete any email with no subject (or "HI" as the subject) that goes to any address that a human should be reading.

He was sure I was ignoring his requests. Sure enough that he threatened to report me for spamming.

Reminds me of the woman who spent three days arguing with my majordomo...

Another short update...

I use majordomo for some small lists, and I just found **several hundred** emails that resulted from a loop created by some twit subscribing to one of those lists at an address with an autoresponder on it.

I'll bet his mailbox got filled to the point that it's bouncing real email. Majordomo's error message is some 9 kilobytes long. Serves him right.

Want to bet he accuses me of spamming him?

Resources:

[Symantec's data on Novarg](#)

Posted by: [Paul Myers](#) on Jan 27, 04 | 2:42 pm | [Profile](#)

[2] [comments](#) (78 views) | [0] [Trackbacks](#) [0] [Pingbacks](#)

Sun Jan 25, 2004

Controlling the Future

An acquaintance of mine, who has been in the computing field much longer than most of us, sent me this in response to the post on commoditization...

Ruminations from an earlier era:

Once upon a time (years removed to protect the innocent) I was VP for Product Development and Support at a software company. We charged anywhere from \$XX,000 to \$XXX,000 for applications systems that ran on proprietary hardware platforms, such as Prime and Datapoint, and did things like financials, inventory and sales order automation. We bought a couple of IBM and Compaq desktop systems to look at the degree to which we might be able to migrate our products to the 8086/PC-DOS platform.

I took one of these machines home, installed various development tools and started hacking about producing various nicky-nacky tools and utilities. I became more and more convinced that this platform would proliferate and, in doing so, would irreversibly change the economic waters in which we swam. I proposed that we seriously consider the notion that we might package the suite of utilities I had been developing and offer them for the ridiculously low sum of, say, fifty bucks. The idea I had was that we would quickly recoup our cost of creation in the sheer volume of sales.

This was not a welcome suggestion. In the ensuing unpleasantness I ultimately wound up returning the equipment to the Company and moving on to other things. Had we implemented my suggestion, we would have beat Peter Norton to market by almost nine months, with a better product.

Such is life.

There are a number of lessons here. The first being, of course, that it's not always safe to be smarter than your boss(es).

Had they listened, and considered the (to my acquaintance) obvious coming changes, they'd have been positioned to be one of the Big Players in the desktop PC industry.

But they didn't.

The second is the reinforcement of the idea that specialized product development is a field for smaller companies. That will continue to be true for as long as the tools for such development continue to be cheaply and widely available.

Mind you, at the time, beating Norton might have been a difficult task for any marketing department. "First mover" status meant something back then.

It's much less significant these days. Don't lose sight of that.

The most important lesson is much simpler: If you accurately recognise the present, you can control the future.

What's happening in your market, right now, that your competition is missing? What changes are coming that they're not aware of or acting on?

That simple awareness is your most powerful opportunity.

Posted by: [Paul Myers](#) on Jan 25, 04 | 8:50 pm | [Profile](#)

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